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1 Plaintiff Express Mobile, Inc. (“Express Mobile”) and Defendant Google LLC (“Google”)
 2 (collectively the “parties”) file this Joint Stipulation and respectfully request that the Court modify
 3 the case schedule to postpone the scheduled April 7, 2022 Case Management Conference until two
 4 weeks after the Court’s decision (or at the Court’s convenience thereafter) regarding a motion to
 5 stay this case that Google will be filing based on IPRs having been instituted on all of the asserted
 6 patents. The parties likewise request that the Court postpone any corresponding deadlines,
 7 including the due date for the Case Management Statement.

8 A Case Management Conference is currently scheduled for April 7, 2022, with a Case
 9 Management Statement due on March 31, 2022. The Court indicated to the parties that any request
 10 to stay this case should be made in the form of a formal motion to stay. Google plans to file a
 11 motion to stay, and the parties are discussing whether such motion will be opposed or unopposed.
 12 The parties believe that it would be most efficient if the Court postpones the April 7, 2022 Case
 13 Management Conference in the meantime.

14 In addition, on March 29, 2022, the Court entered an Order Re Potential Stay Motions in
 15 ten related Express Mobile cases. (See ECF No. 155 in Case No. 3:19-cv-06559-RS.) As explained
 16 above, Google intends to file a motion to stay. To the extent the motion is opposed, the parties
 17 agree that the briefing procedure set forth in the Court’s March 29, 2022 Order should apply to this
 18 case as well.

19 A Case Management Conference is also scheduled on April 7, 2022 in the following cases:

- 20
- *Express Mobile, Inc. v. Meta Platforms, Inc.*, Case No. 3:21-cv-06657-RS
 - *Express Mobile, Inc. v. Atlassian plc et al.*, Case No. 3:21-cv-08942-RS

22 Express Mobile has filed a non-opposition to a stay motion filed by Meta (see ECF No. 101
 23 in Case No. 3:21-cv-06657), and the parties to the *Atlassian* case will be filing a stipulation
 24 substantially similar to this one concerning the postponement of the Case Management Conference
 25 in that case.

26 Due to the foregoing, and to avoid unnecessary expenditure of the Court’s time and judicial
 27 resources, the parties agree that good cause exists to postpone the upcoming Case Management
 28 Conference until two weeks after the resolution of the upcoming motion to stay (or at the Court’s

1 convenience thereafter), and to postpone any corresponding deadlines accordingly. Thus, the
2 parties request that the Court (1) confirm that its March 29, 2022 Order in the related Express
3 Mobile cases applies to this case for any motion to stay that is opposed; and (2) postpone the Case
4 Management Conference and all related deadlines to correspond with the rescheduled Conference.

5 Dated: March 30, 2022

Respectfully submitted,

6 /s/ Robert F. Kramer

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Attorneys for Defendant
Google LLC

20 *Attorneys for Plaintiff*
21 Express Mobile, Inc.

22 **ATTESTATION**

23 Pursuant to Civil L.R. 5-1(i) regarding signatures, I attest that concurrence in the filing of
24 this document has been obtained.

25 /s/ Robert F. Kramer

26

27

28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

EXPRESS MOBILE, INC.,

Case No. 3:21-cv-08944-RS

Plaintiff,

V.

GOOGLE LLC,

Defendant.

[PROPOSED] ORDER

PURSUANT TO STIPULATION IT IS SO ORDERED AS FOLLOWS:

- (1) The Court's Order Re Potential Stay Motions (ECF No. 155 in Case No. 3:19-cv-06559-RS) shall apply to the parties in this case for any opposed motion to stay; and

(2) GOOD CAUSE APPEARING, the Case Management Conference, currently scheduled for April 7, 2022 at 10:00 a.m., is postponed, and may be reset after resolution of Defendant's upcoming motion to stay this case.

Dated:

HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE